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*Counsel for Gobar Systems, Inc.*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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In re:	x
	:
DELPHI CORPORATION, <i>et al.</i> ,	Chapter 11
	:
Debtors.	Case No. 05-44481 (RDD)
	:
	Jointly Administered
	x

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**MOTION OF GOBAR SYSTEMS, INC. TO ALLOW AND COMPEL PAYMENT OF  
ADMINISTRATIVE PRIORITY EXPENSE CLAIM PURSUANT TO 11 U.S.C. §§503(a),  
503(b)(9), AND 507(a)(2) AND MEMORANDUM OF LAW IN SUPPORT**

Gobar Systems, Inc. (“Gobar”), a creditor of Delphi Corporation or its affiliates (the “Debtors”), by and through its undersigned counsel, hereby files this Motion to Allow and Compel Payment of Administrative Priority Expense Claim Pursuant to 11 U.S.C. §§ 503(a), 503(b)(9), and 507(a)(2) (the “Motion”) and Memorandum of Law in Support. In support of this Motion, Gobar respectfully states as follows:

**JURISDICTION**

1. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This Motion presents a core proceeding under 28 U.S.C. § 157(b)(2)(A) and (B). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

**BACKGROUND**

2. On October 8, 2005 (the “Petition Date”), the Debtors filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”).

3. Prior to the Petition Date, Gobar sold goods to the Debtors in the ordinary course of business.

4. On July 29, 2006, Gobar timely filed its Proof of Claim in the Debtors’ bankruptcy case. The Proof of Claim included all amounts owed to Gobar by the Debtors prior to the Petition Date, totaling \$431,794.32. A spreadsheet listing all invoices supporting Gobar’s claim was attached to the Proof of Claim. A copy of the Proof of Claim is attached hereto as Exhibit “A”.

5. As set forth in the Proof of Claim, Gobar sold and delivered goods to the Debtors between September 18, 2005 and the Petition Date, the twenty day period immediately preceding the Petition Date (the “Administrative Claim Period”), in the ordinary course of the Debtors’ businesses. A spreadsheet of all invoices evidencing the sale of goods, the delivery date, and the amount of each sale during the Administrative Claim Period is detailed on the exhibits attached to the Proof of Claim. See Exhibit A. The total amount owed to Gobar for goods sold and delivered to the Debtors during the Administrative Claim Period is \$431,794.32 (the “Administrative Expense Claim”).

6. To date, Gobar has not received payment from the Debtors on its Administrative Expense Claim.

**ARGUMENT**

7. The goods subject to the Administrative Expense Claim were sold by Gobar and delivered to the Debtors within twenty (20) days of the Petition Date.

8. The goods subject to the Administrative Expense Claim were sold during the ordinary course of business.

9. Gobar has provided a benefit to the Debtors' estates for which it has not been compensated.

10. Pursuant to 11 U.S.C. §§ 503(a), 503(b)(9), and 507(a)(2), Gobar is entitled to an allowed Administrative Expense Claim in the amount of \$431,794.32 and the prompt payment of the same.

**WHEREFORE**, Gobar Systems, Inc. respectfully requests that the Court enter an order allowing the Administrative Expense Claim, pursuant to 11 U.S.C. §§ 503(a), 503(b)(9), and 507(a)(2), in the amount of \$431,794.32, and directing the Debtors to promptly pay such amount. Gobar Systems, Inc. further requests all other and further relief as the Court deems just.

Dated: April 3, 2007

Respectfully submitted,

/s/ Paige Leigh Ellerman

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